

City Council Meeting APPROVED MINUTES

Study Meeting Monday, February 9, 2015 Bloomington Civic Plaza 1800 West Old Shakopee Road Bloomington, Minnesota 55431-3027

1 Call to Order - 6:00 PM Mayor Winstead called the study meeting to order at 6:00 p.m.

Present: Councilmembers C. Abrams, J. Baloga, A. Carlson, D. Lowman

J. Oleson.

Absent: Councilmember T. Busse.

2 INTRODUCTORY None.

3 CONSENT BUSINESS None.

4 PUBLIC COMMENT None. PERIOD

5 HEARINGS/PUBLIC INPUT

None.

6 ORGANIZATIONAL BUSINESS

6.1 Creative Placemaking in South Loop Update

<u>Requested Action</u>: Provide input and direction to staff on initial ideas for Creative Placemaking Plan.

Planner Julie Farnham and Bloomington Theater & Art Center (BTAC) Executive Director Andrea Specht jointly presented an update on the South Loop creative placemaking grant project, including an update on the demonstration projects and preparation of the creative placemaking framework. Highlights of their slide presentation are as follows:

- Background: The City and BTAC received a grant from the National Endowment for the Arts (NEA) to develop a "creative placemaking" plan for the South Loop District and to commission public art projects that demonstrate the role art and artists can play in transforming the District's character. The grant period extends through August 31, 2015, when the project must be completed. A consultant team Creative Community Builders (CCB) was hired to assist City and BTAC staff with the project.
- An in-depth discussion on the South Loop Creating Placemaking Plan will take place at the March 23 Council study meeting.
- An overview of components common to public art and creative placemaking plans.
- Creative Placemaking Plan vision and goals; management structure; decision-making; implementation tools; and funding.

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 Demonstration Project Update: (Specht)
 Four varied demo projects were selected: Little Box Sauna, Ripple of Life, Science and Nature Mural, Cross-Pollination Walking Theatre.

Winstead asked how architecture and design gets layered into what's happening in this area with regard to buildings and permanent infrastructure.

Farnham replied it's already happening. Staff is talking to developers about this now. When David Peters came in with is proposal for a hotel at the corner of Lindau & 24th Avenue, staff knew there was a need for some piece of art in the plaza.

Winstead suggested talking to developers about an artistic way to skin the parking ramps.

Farnham agreed and said staff needs to start thinking about this now. She said St. Paul has an artist working within their Public Works Department. That's how they came up with their sidewalk poetry project.

Community Development Director Larry Lee said David Peter's sculpture ended up influencing the design of the plaza. The design of the plaza influenced the design of the building because they were looking at materials for the backdrop of the plaza.

Winstead said any development coming in should receive this information even if the project isn't in this district.

- "Demonstrating" what?
- Power of Placemaking: Early successes -- Cypress Semiconductor is playing a host role to one of the projects.
- Lessons Learned So Far: Champions will be key. Dan Jasper, Mall of America has become a champion.
- Study Session March 23: Staff will bring some approaches and recommendations. What is believed to be the best fit for South Loop and the City.

Oleson asked about a plan to reseed and harvest the wheat field.

Specht said it's a two-year project at this point. It's on land that is slated for potential development by the Mall of America.

Carlson is excited to see how this will play out but said it will need to have a long-term sustainable funding source, which should include public/private partnerships.

Specht announced BTAC will become Artistry on July 1, 2015.

 Rebranding Goals: They want to grow their audience, participant base, and funding sources. Grow not only in Bloomington but regionally. Artistry is a producing organization vs. a venue/presenter.

Larry Lee continued the presentation by introducing Artist James Brenner.

Lindau Lane Sculpture – James Brenner: (Lee)
Fifteen artists proposed projects and the committee selected four of
them. Brenner's project was one of the eleven projects not selected.
His project is proposed for the Lindau Lane at 28th Avenue
intersection. The sculpture will be a landmark visible to those getting
off at the transit station. Staff recommends this project be selected
anyway.

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The cost is \$190,000 for the sculpture and landscaping of a 7,000 square foot area. Brenner will design the landscaping. Funding to come from the South Loop Development Funds.

Overview of the concept: (Brenner)
The sculpture responds to the architecture and the roundabout. It's a circular form – a ring-type shape. The landscaping will embody some of that natural movement of the cars moving around in the circle. It will be made from Cor-Ten steel. He builds them to last 100 years. Cor-Ten material has a protective layer and mends itself. It's made of glass and fiber optics. The lights last for five years. He showed examples of the proposed landscape plantings. Karl Forester Grass, Purple Coneflowers, and Daylilies. It will stand 35 feet tall from the street level. Contains glass on both sides and Cor-Ten on both sides. It can change color or maintain the same color. It's less than 10 feet wide inside the circle and 19 feet in diameter.

Lee described how the glass fins change color as one drives around it.

Brenner showed Council a cross sample of the sculpture.

Lowman asked about people who might stop their cars to take a photo of the sculpture.

Brenner said photos can be taken from the sidewalk. He added the taller plantings will discourage people from getting up close to the sculpture.

City Manager Jamie Verbrugge asked if there was a concern that the light poles could be visually distracting or could detract from the sculpture. He asked if there was a way the City could compliment the sculpture with the light poles.

Brenner replied he was impressed with the design of the light poles. He said they're already in a nice form to perform their function. He said the overall design consultation regarding the light poles was good. His public sculpture responds to what is already there.

Oleson asked what the signage will say.

Lee replied it's a chevron that directs drivers to the right.

Oleson sees this as a potential conflict because its art to attract attention. At the same time, there is a roundabout to maneuver.

Winstead asked how the City will explain this 18-foot piece of art to the billboard sign companies when the City has an ordinance that doesn't allow moving electronic signage except for a time period.

Brenner said there is clear and definite zoning regarding signage that is completely non-applicable to art.

Carlson said this ties in with a lot of Brenner's other work. It ties into South Loop without going over the top. He said it's brilliant at that particular location. He said the difference between advertising and art can be worked out but over time. He asked about maintenance costs and how much should be budgeted to maintain such a sculpture.

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Brenner stated the lamp is the only thing that will need to be replaced. A power washing might be needed once a year. It's made to be outside. He mentioned the five pieces of art he has in Northeast Minneapolis in Jackson Square Park.

Lee stated there is a draft agreement with Brenner if Council is interested in proceeding with this sculpture. The agreement will be placed on the Consent Agenda at the February 23, 2015, Regular Council meeting unless Council says no. Regarding the Tom Henry landscape project, one of the planted circles can be funded from the Demonstration. He said Met Transit wanted to build a snow fence in this location so City staff spoke with Tom Henry and pointed out some of the plantings can serve as a snow fence. He said a revised design adds more ripples alongside the big one increasing the total Tom Henry project to \$52,000, of which the City needs to pay \$14,000. He said a draft agreement for the Henry project would also be added to the February 23 Consent Agenda. The funds would come out of the South Loop Development Fund.

Winstead suggested a location or two be identified for the "Kodak" shot where benches could be installed for a sitting area.

Lee explained the triangle piece of land will be triangle park. It's surplus land. It will be a future park that will contain another piece of sculpture to compliment the main sculpture. He said additional information will be provided to Council via City Manager's Information.

(There was Council concurrence to proceed ahead and bring both agreements to the February 23rd meeting for approval.)

6.2 2015 Planning Commission Work Plan

Requested Action: Review and discuss the draft 2015 Planning Commission Work Plan in preparation for final adoption by the Council at a regular meeting. The Plan has been approved by the Planning Commission (PC).

Planning Manager Glen Markegard and Planner Julie Farnham presented the staff report with the following slides: Timeline, Key Planning Services, Bloomington Permit Valuation, PC 2015 Work Plan Project Timing and Prioritization, Master Plan – City Owned Land in the Minnesota River Valley, Alternative Transportation Plan, Rezonings (Kraus-Anderson Properties), Ordinance Amendments, Rezonings (South Loop and IT District), District Plan Updates, Special Plans & Studies, Comprehensive Plan Update, Potential Future Projects, Project Timing and Priority

Upon conclusion of his presentation, Markegard asked the Council if they agreed with the list as presented or if they wanted any projects added, removed, or prioritized. He said the medical marijuana dispensary standards could be accelerated if Council desires it be.

Regarding Normandale Lakes, Baloga said if the changes are being driven by the presumed ramp going to 494 from Bush Lake Drive, is it premature to be doing that because it's presumptive that it's going to occur in the near future.

Markegard said it's an unfunded project, as is the 84th & Normandale improvements.

Farnham said the focus of Normandale Lake was the intersection of 84th & Normandale. The original office plan might not pan out, which could change the need for the improvements at 84th & Normandale. She said Public Works is going to do a traffic study update at 84th & Normandale Boulevard.

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Baloga doesn't see Normandale Lake or the IT Zoning District as priorities. He believes staff should start on the Industrial rezonings ahead of the Normandale Lake Update and the IT zoning districts.

Abrams said the future identification of the Industrial districts and that work gets to the core of how Lyndale is an emotional separator between neighborhoods on the east, a big area of commercial/industrial/retail, and the neighborhoods to the west. She sees that as having a greater halo effect for the Council to begin having those conversations as well as planting a vision there.

Farnham explained the South Loop District Plan was adopted but the zoning hasn't been implemented. Two new zoning districts were created in the South Loop District; the LX and IT districts. Only the LX District was adopted. She said the IT District zoning could be taken off the table and Council could proceed with the rezonings in the South Loop District.

Baloga said he was a supporter of the IT zoning characteristic but spending a lot of time to develop those zoning requirements may be for not. He said no one else has a compatible use in the area. He said the data center that is going up by France Avenue & 494 would have looked at this IT area. He sees the Industrial zoning as a higher priority.

Oleson said the City has done amazing things with the three nodes; South Loop, Penn & American, and Normandale Lakes. Those plans are either complete or well on their way. He said there are two items on the timeline regarding residential and one of them is about standards. It's not about how to rejuvenate these areas including strip malls. He believes Council needs to have a conversation with staff or focus groups to figure out how to do that. He said Bloomington has homes and businesses built in the 50s and 60s. The City needs to understand what is going on with Old Cedar Avenue and Old Shakopee Road. He said there is an increased expectation regarding use of the trails and the rehabilitation of the Old Cedar Avenue Bridge. He said the Housing & Redevelopment Authority (HRA) and the Port Authority have been looking at different aspects of that area. He had no specific recommendation at this point.

Winstead said the Port Authority works on areas that are designed as districts so nothing that's been considered there. It is, however, a close neighbor to the development districts that are there.

Abrams suggested staff continue with the medical marijuana regulations to get it done, as Bloomington will be considered a standard in the state. She said special event standards need to be a high priority due to the upcoming Super Bowl in 2018.

Verbrugge suggested maybe Bloomington could work with Edina and Eden Prairie as a sub region with regard to medical marijuana, as neighboring cities are also on the same timeline as Bloomington regarding this issue.

Markegard confirmed there is a lot of collaboration between the cities on that issue.

Winstead said staff's timeline is just fine, as there is to be one dispensing facility per Congressional district.

Lowman asked how the neighborhood plans Abrams mentioned in the Lyndale area and Oleson mentioned in the Old Cedar Avenue/Old Shakopee Road area fit into the long-term plan.

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Markegard explained there is a parallel effort underway by the HRA. The HRA commissioners will be receiving a tour of the community nodes to determine a prioritization. He said the PC will follow the HRA's updated need.

Winstead said it's about what and how. The City needs to identify what needs to be upgraded and improved but the next question is how to improve them when they're not located within a major redevelopment district with revenue sources. Some of those sites aren't big enough. He said the cost benefit and dynamics aren't the same in the France & Old Shakopee Road area as it is in the South Loop area. He said the "what" and "how" discussions need to take place first, as they could lead to a plan. The same tools available in the larger districts are not available in the smaller areas. He said there should be a discussion regarding those areas rather than an actual plan. He said the Council needs to get a good report back from the HRA so some resources can be determined.

Baloga suggested the Council find a use, define it, and figure out how it complies with the existing zoning. Is it applicable to rezone that district for that use? He said maybe there's a funding element to be discussed that would lead that process.

Winstead said the discussion should begin after the HRA tours the community and then the Council can talk about a way to enhance it but how it works into the work plan is unknown. It's the smaller commercial areas in the residential portions of the city.

Lowman asked how the Lyndale Green development came about.

Lee explained the eminent domain tool is no longer available.

Abrams said it would be beneficial to know what the neighborhoods want as more trails get built. She suggested staff talk to 30 property owners to let them know the Council and staff are in this together.

Winstead said the next steps would be to get the HRA's thoughts, comments and a presentation on their work plan. The Council can then figure out what's next. It's about what can be done in those other commercial nodes. Council could prioritize once it gets a good report. Find and allocate resources to these types of projects and then see if the market will accept them.

Markegard said this doesn't have a great impact on the PC's 2015 schedule. He said the HRA could get on the Council agenda in April.

Winstead said there is something here that is a priority on the City's smaller commercial nodes.

Baloga again said the Industrial zoning takes a higher priority than the Normandale or the IT zoning districts. He's talking about true industrial.

Markegard confirmed the IT District needs updating.

Verbrugge said if staff feels they can accommodate the Council's request, perhaps some shuffling of the PC schedule could be done and brought back to the PC. He mentioned there is one planner position vacancy.

Abrams asked if the budgeted funds for an unfilled position contribute to positive performance.

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Baloga said 2,000 staff hours per year are dedicated to these projects from year to year. The remainder of the staff handles the work that comes in, i.e. plan reviews, etc. will be done by the remainder of the staff in their time.

Markegard reported staff hasn't made any proposal to fill that open planner position.

Lee said the Council might decide to take on an update of the "string of pearls" or interviews with neighborhoods that could lead to filling that position.

(The Work Plan, with some additions, will be before the Council at a regular meeting for approval.)

6.3 Proposed 5-Year Community Investment Program (CIP)

Requested Action: Review and provide feedback on the proposed draft Combined 5-Year Community Investment Program (CIP) for the City, Housing and Redevelopment Authority (HRA) and Port Authority for the years 2015-2019.

Chief Financial Officer Lori Economy-Scholler presented this item. She said no project in the CIP is less than \$50,000. This document is to be used as a planning tool. Projects for which grant funding applications will be made need to be listed in this document. The City may be funding part of a project as might other agencies. Most of the projects are over \$100,000 and will come before the City Council for approval.

She noted the Long Meadow Bridge (Old Cedar Avenue Bridge) Rehabilitation Project is the most expensive one in the CIP at just under \$22 million. She reported everyone is working to fund this project in 2015. She wanted to be clear the community center is listed as a placeholder and that a Needs Assessment will be presented to Council in March. She reported the amount of CIP annual activities is \$51,927,380 for 2015; \$404,802,551 for 2015-2019; and \$501,105,054 for future projects.

Baloga requested a sources and uses listing. He also requested another page be added summarizing the 2015 page. A page showing the City, State and Federal portions per project and the source of funding for the City's portion. He'd like to see included in the document the amount the levy funds and does it have to grow? And if so, by how much.

City Manager Jamie Verbrugge directed Baloga to the Funding Source Summary to look at Property Tax Levy. He asked how many of these items are captured through the tax levy.

Winstead suggested having a pie chart that shows the City's, County's and Federal's portion of the \$51 million.

Baloga is interested in knowing the underlying sources for certain funding. How much is bonded and how much is coming out of the resources for each year.

Economy-Scholler said staff will provide Council with a different matrix.

Verbrugge said staff will play with it and see what looks best.

Winstead requested staff include how it will affect future levies.

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Oleson inquired about the Tax Increment Financing Policy and what that tool means for the City's future. He asked if the HRA could be used as a source in addition to the Port Authority for financing. He recommended the Council think about some phrase that talks about redeveloping housing in neighborhoods for the mission statement.

Lowman asked if there was any rationale for changing the TIF policy and having additional monies going to the HRA.

Winstead said the City has wanted to see its Tax Increment Financing districts capped at 15%, which the South Loop/Mall of America District has used up. He said the HRA is levied to its maximum, which includes 98th & Lyndale and Penn & American.

Economy-Scholler reported the Mall comes off in 2016 and the other district in 2018.

Lee said the percentages are a result of the assignments made by the City Council. The policy was set off the assignments that were made by the Council.

Winstead said the ability to establish a new TIF district going forward is challenging. The Port Authority expanded its district over to Lyndale and American Boulevard to acquire properties. The district was expanded due to that assignment. He asked if there are ways for the Port Authority to expand its horizons without setting up traditional TIF districts as the one in South Loop/MOA expires.

Council Recess

The Council took at 10-minute recess.

6.4 2014 Street Survey Results

Requested Action: Information only – no action necessary.

Public Works Director Karl Keel presented the results of the 2014 Street, Road and Highway Survey that was conducted by the National Citizen Survey. The survey was conducted because past National Citizen Survey results revealed a decline in the opinion of Bloomington residents regarding street repair. This survey addressed the issues of street repair, maintenance, and traffic flow. The survey results revealed with regard to street maintenance, the timing of the survey makes a difference. The original survey was conducted in May after the winter when there are many potholes in the roads. This most recent survey was conducted in the fall and the results were more favorable.

Baloga asked if there was any way to drill down between sidewalk and trail maintenance.

Keel said residents generally appreciate the City's investment in the street system across all four Council districts. He said the City does a reasonable job of investing in its streets but the State struggles. The investments on 35W and I-494 aren't being made.

Abrams commented 32% of the people surveyed work in the city so twothirds of them are using the highway system.

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Keel continued his presentation on the Pavement Management Program (PMP). He presented the annual funding amounts needed to maintain the system. He discussed the Pavement Condition Index rating system and the City's goal to keep 70% of the streets in the "adequate" category and 10% in the "problem" category. He said the overlay program addresses the marginal streets, which are starting to slide.

Winstead said the Council will need to have a conversation about increasing the budget if this is the trend. He also said the City needs to determine what time of year the surveys should be sent out, as it affects the survey answers.

Keel stated the overall PMP funding needs to be reviewed; especially the overlay funding. He asked how quickly the Council wants to accelerate the trail/sidewalk improvements. He explained all trail segments, except those that are part of a park system, are rated and inventoried. He said staff knows how much money will need to be invested annually to maintain them. Staff is talking about a 20-year program but said it needs to be accelerated. Accelerating trail maintenance, however, didn't make the strategic priorities bucket.

Baloga asked if the question regarding sidewalks and trails could be further defined to know how much satisfaction there is with sidewalks only and with trails only. Could they be separated going forward? Trails are bituminous and sidewalks are concrete. He believes trail maintenance is holding down the ratings for sidewalks. He asked about the overall rating of the trail asphalt.

Maintenance Superintendent Jim Eiler said staff will provide that information to Council via the City Manager's Information.

Winstead said it would be helpful to see a map of the trails; many of which need to be widened and reconstructed. Is it prudent or is it a luxury? He said there is a new standard out there and it appears to be problematic.

Keel replied it's costly for right-of-way and retaining walls when it comes to widening trails. He said staff is projecting a more realistic number.

Abrams said although the same number of surveys were sent, it cost \$14,000 for the street survey and \$25,000 for the citizen survey of which the State Auditor pays half.

Winstead asked about the status of formalizing a PMP type of program for the trails.

Keel replied the trails/sidewalks along the City's roadway systems are handled by Public Works staff. The trails in parks are managed as part of the Park budget. He said currently all of roadway trails are part of the City's management system.

Abrams asked for the perimeter measurement of the Gene C. Kelly Playfields and asked if the path is bituminous or concrete.

Winstead said Council would like to know what maintenance is needed on both street and park trails because more funding will be needed for both of them.

Baloga asked how much in dollars and mileage is planned for trail maintenance and reconstruction in 2015.

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Keel replied very little in 2015. The only trail maintenance the City does is for the trails that are part of a larger project. He said the City's been setting aside \$370,000 per year of the overlay funds for trail projects. Those dollars have been set aside with the anticipation of doing larger projects such as the Normandale Boulevard project, which will eat a couple years of that allocation. He said the City is not going any substantive trail projects this summer. Those dollars will be put towards the Normandale project. He said those same dollars are competing with overlay funds, which staff is struggling to keep up with. He said the Overlay Fund was increased by \$700,000 from 2014 to 2015 but it got gobbled up by Streets.

6.5 Hennepin County Courts Facility Proposal

Requested Action: No formal action is required.

City Attorney Sandra Johnson and Police Chief Jeff Potts presented information on a proposal to locate a Hennepin County Courts facility addition onto Bloomington Civic Plaza.

Johnson provided information relating to the Suburban Courts Services facility at 7009 York Avenue South. She reported on the number of traffic citations and criminal cases Bloomington prosecutors handled at the Southdale facility during 2013. The fines and prosecution costs paid to the City from those cases totaled \$1,221,228. She provided background regarding the discussions that started in the early 2000's about the closing of suburban court locations. She said in 2012, the Hennepin County Board was ready to close Southdale court and move Bloomington's non-felony cases to downtown Minneapolis but this was opposed by the suburban communities.

Johnson explained the suburban courts are very busy and Bloomington is the busiest suburban court; approximately 15,000 traffic citations. She said Hennepin County wants to sell their building in Edina because of the high real estate values and the high cost to renovate it

Potts and Johnson spoke about the cost and inconvenience to City staff and the victims if court is moved downtown.

Potts reported discussions have taken place regarding a possible relocation to Bloomington. Hennepin County personnel looked at the available space at Civic Plaza including the shell space, which was determined to be inadequate for their needs. As a result, the County looked at other alternatives. One being considered is construction of an addition off the west end of the Police Department plus a two-level, 100-stall parking structure, as there would not be sufficient parking on the property to handle the additional parking needed by the courts. The layout of the first and second floors of the courts addition was presented. He reported the estimated cost of construction is \$18-\$20 million. Construction of the proposed multi-use parking ramp would cost approximately \$2 million. He said Hennepin County will be discussing the financing of such an addition with their Board of Commissioners. He asked Council if they wanted staff to continue these discussions with its own Finance Department and with Hennepin County in a robust way to make this work. He said the County assumes the lion's share will be the County's responsibility. He said that would be sorted out in continued discussions.

Lowman said he doesn't want to see the court system move downtown but asked if such an addition onto Civic Plaza would limit the City's future expansion of the building.

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Johnson replied there is a lot of shell space within Civic Plaza near the Legal and Police Department. She said this isn't the only location for the courts but it's the most convenient one. She said if an addition was put on this building, the City would own the dirt and Hennepin County would own the structure. It would be a very long-term lease. The County would have to give the City the bonding authority to build it. She said when the York Avenue building is sold, perhaps some of that money could expedite the payment of the bonds. She commented land is expensive and a plus for having the courts located here is the proximity of public transportation.

Potts said there is a possibility the parking deck could be expanded in the future to fit the City's needs.

Baloga asked about the size of the Minnetonka court facility.

Potts replied it has two courtroom facilities, as would this one.

Baloga asked if it would be possible to move Bloomington's motor vehicle services into this building.

Winstead said a service center is something that could come out of the Needs Assessment for a new community center.

Johnson explained passport services must be located in a separate building. They can't be issued in the same building in which driver's licenses are issued. She said the City does a great business in issuing passports.

Carlson said he likes that there would be a separation between the courts facility and the Art Center but said \$18-20 million is a lot of money and having a blank wall along Old Shakopee Road would look bad. He asked if the parking structure could accommodate more than cars.

Winstead said it costs \$2 million to construct a 100-stall parking ramp. He briefly touched on the pros and cons of having a courts facility attached to Civic Plaza.

Oleson asked if the farmer's market could be located under cover on the first level of the parking deck.

Abrams asked if more security, such as a metal detector, would be needed for all of the doors to Civic Plaza, which are currently unsecured during the day.

Winstead said he could support this and the City's County Commissioners thinks it's a good idea but it's got to work and fit here. He'd like to see a ramp with some placemaking characteristics.

Johnson said we need to find out what Normandale paid for the exterior finishes on their parking ramp.

Potts said Hennepin County's architect will talk to the Civic Plaza architects.

Winstead suggested taking the next step to talk to Hennepin County to discuss the financing but said the City doesn't want to end up subsidizing the County courthouse. He doesn't believe \$2 million will be enough for the parking structure.

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Potts said staff will advance these discussions and will talk to the County's finance staff. Staff to update the Council when more information is available so the pros and cons can be addressed.

Baloga asked why the City would be involved in the bonding for a County structure.

Economy-Scholler said the City doesn't have the authority to issue those bonds so the County would have to give the City joint powers to do so. She would prefer the County issue the debt and not the City.

Metro Cities Appointment

Winstead announced his recent appointment to the Metro Cities Board of Directors. He said Mark Bernhardson served on that Board so this keeps the City's foothold in that organization. It keeps Bloomington in the loop.

7 ADJOURN

Mayor Winstead adjourned the study meeting at 10:08 p.m.

Barbara Clawson Council Secretary

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